

REMARKS:

Claims 1-24 are pending. Claims 1 and 11 are amended. Applicants respectfully request entry of the above amendments and consideration of the following remarks.

Interview Summary

Applicants would like to thank the Examiner for the time spent and consideration provided during the telephonic interview conducted with Applicants' representative on March 27, 2007. The Examiner and Applicants' representative discussed Figure 4 of the application, and claims 1, 11, 15 and 24. The amendments and remarks included in this paper respond to several of the issues identified and discussed during the interview.

Drawing Objections

The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(4). A replacement drawing sheet with a corrected version of Fig. 1 is enclosed herewith.

Rejection of Claims 15 and 24

Based upon the discussions held during the telephone interview referenced above, Applicants and the Examiner appear closest to reaching a resolution with regard to claims 15 and 24. For that reason Claims 15 and 24 are addressed first. Additional arguments relating to other pending claims follow these remarks.

Claims 15 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tremblay. As conceded by the Examiner, Tremblay is silent concerning the drive system being capable of continuing actuation once begun when the switch is in the closed condition and the buckle and belt are in the disengaged state. The Examiner asserts, however, that a drive system capable of continuing actuation once begun when the switch is in the closed condition and the buckle and belt are in the disengaged state is notoriously old and well known in the art of vehicle safety restraints.

In making this assertion, the Examiner appears to have overlooked certain additional elements of claims 15 and 24.

With regard to claim 15, Applicants respectfully point out that in addition to the drive system being capable of *continuing* actuation when the switch is in the closed condition and the buckle and belt are in the disengaged state, claim 15 also recites that:

“the drive system [is] *incapable* of *initiating* actuation when the switch is in the closed condition and the buckle and belt are in the *disengaged* state,”

– and –

“the drive system [is] *capable* of *initiating* actuation when the switch is in the closed condition and the buckle and belt are in the *engaged* state,”

Thus, whether or not the drive system is capable of *initiating* actuation depends upon whether the buckle and belt are in the engaged or disengaged state, however once actuation has been initiated, the drive system is capable of *continuing* actuation regardless of whether the buckle and belt are in the engaged or disengaged state.

Claim 24 recites, among other things:

“the motive source inoperable to move the platform from an at rest position without the seatbelt fastened and operable to move the platform from an at rest position with the seatbelt fastened, the motive source capable of being continually operable as the platform is moving regardless of the seatbelt being fastened;”

Thus, the motive source cannot move the platform from an at rest position unless the seatbelt is fastened, however once operation has begun, the motive source can continue to move the platform regardless of whether or not the seatbelt is fastened.

Applicants respectfully submit that the teachings of the prior art of record and the knowledge available to one of ordinary skill in the art at the time the invention was made do not render obvious the vehicle lift system of claim 15 or the method of moving a passenger of claim 24. Indeed, the teachings of the prior art specifically point away from the claimed configuration.

For Example, Tremblay repeatedly explains that *all* lift functions, including initiation of movement and continuation of movement, are disabled when the restraint belt is not fastened. Tremblay also emphasizes that such a system “significantly increases” the safety of transported passengers.

“The *safety of passengers* being transported on [my] lift is significantly increased by an electronic safety inter-lock included

in the buckle. The electric safety interlock prevents *all* movement of the lift, until the restraining belt is fastened.”

Tremblay, col. 2, lines 47-51.

“The circuit is designed so that the main control power of the lift passes through the switch. In this way, *all* lift functions are disabled when the restraint belt is not fastened.”

Tremblay, col. 5, lines 42-45.

“[T]he circuit cannot be completed until the normally open switch 98 is also closed. Accordingly, the “up” circuit *only* can be completed and the platform raised when the buckle and tab are interlocked.”

Tremblay, col. 5, lines 65-68.

“Again however, the circuit can *only* be completed and the platform lowered when the normally open switch 98 is closed, i.e. when the buckle and tab are interlocked.”

Tremblay, col. 6, lines 9-12.

“A normally open electrical switch is located inside the buckle. The switch is operatively connected to the main control power circuit. When the switch is open, i.e. when the belt is not buckled, *all* lift functions are disabled. When the tab is inserted, the switch is closed and the lift functions actuated.”

Tremblay, col. 6, lines 32-36.

Applicants respectfully submit that the prior art references, including Tremblay, and the knowledge available to one of ordinary skill in the art do not render claims 15 and 24 obvious, and in fact teach away from the invention claimed in claims 15 and 24 in which movement of the lift, once begun, can continue regardless of whether the buckle and belt are engaged or disengaged.

For these and other reasons, Applicants request that the Examiner withdraw the rejections of claims 15 and 24 under 35 U.S.C. § 103(a) and provide a favorable indication that those claims are allowable.

Rejection of Claims 1 and 11

Claims 1 and 11 stand rejected under 35 U.S.C. §112, second paragraph. Applicants have amended claims 1 and 11 to more particularly point out that the current path is defined *within* the buckle, and that the motive source of claim 1 and the lift system of claim 11 are capable of continuing movement regardless of the current state *within* the buckle.

Applicants respectfully submit that the amendments to claims 1 and 11 resolve the Examiner's concerns with respect to claims 1 and 11 and request withdrawal of the corresponding claim rejections under 35 U.S.C. §112, second paragraph.

Claims 1 and 11 are also rejected under 35 U.S.C. 102(b) as being anticipated by Tremblay (U.S. Patent No. 5,373,915). As understood by Applicants, the Examiner's primary basis for rejecting claims 1 and 11 under 35 U.S.C. 102(b) relates to the nature of the "current path." As explained to Applicants, in the Examiner's view the current path as originally claimed could be read to include additional circuitry unrelated to the claimed buckle, such as the circuitry immediately adjacent the vehicle battery.

To address the Examiner's concerns, Applicants have amended claims 1 and 11 to recite that the current path is "defined within the buckle." Applicants respectfully submit that Tremblay does not teach or suggest an assembly or system that includes a current path defined within the buckle and that is capable of operating in the manner claimed in claims 1 and 11. Applicants therefore request withdrawal of the rejections under 35 U.S.C. 102(b) and allowance of claims 1 and 11.

Rejection of Remaining Claims

Of the remaining claims, claims 2-10 depend from claim 1, claims 12-14 depend from claim 11, and claims 16-23 depend from claim 15. Claims 1, 11 and 15 are allowable for at least the reasons discussed above. Claims 2-10, 12-14, and 16-23 are therefore also allowable.

CONCLUSION:

In view of the foregoing, allowance of claims 1-24 is respectfully requested. Should the Examiner conclude that allowance of all of claims 1-24 cannot be provided at this time, Applicants are willing promptly to cancel any claims that are not deemed allowable in order to place this application in condition for allowance. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martin L. Stern", written over a horizontal line.

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